

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF

CANDACE B. HOOPER, R.N.  
License # 26NR14801200

TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER  
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Candace B. Hooper ("Respondent") is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about November 8, 2013, a letter of inquiry was sent to Respondent's address of record with the Board, asking Respondent to supply information concerning an arrest on November 1, 2013 on charges of shoplifting, and to supply documentation of continuing education completed in the past three years.
3. The certified mailing of the letter was signed for upon delivery. The regular mailing was not returned. No response was received.
4. On her 2012 renewal application, Respondent indicated that she would have completed all required continuing education for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012.

### CONCLUSIONS OF LAW

Respondent's failure to respond to the inquiry on behalf of the Board constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 and 1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to supply documentation of required continuing education for the June 1, 2010 – May 31, 2012 renewal period is interpreted as a failure to complete required continuing education in violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her renewal application that she would have completed required continuing education for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012 constitutes misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 28, 2014 seeking a suspension, reprimand, and a seven hundred and fifty dollar (\$750) civil penalty. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline by providing the

information requested in the Board's original letter of inquiry from November 8, 2013. Regarding her failure to respond to the letter when it was originally mailed, Respondent maintains that she moved and that her attempts to change her address with the Board and with the Post Office were not successful at that time. Regarding the arrest for shoplifting, Respondent pled guilty to the amended offense of disturbing the peace and paid two hundred and eighty-three dollars (\$283 ) in fines and assessments. Regarding her nursing employment, Respondent maintains that she has not worked as a nurse since she obtained her license, but that she plans to seek employment in the near future. Regarding continuing education, Respondent maintains that she completed thirty hours in or around March 2012, but her attempts to obtain proof of completion were unsuccessful. Respondent maintains that she was unaware of the Board's regulations regarding documentation of completion of continuing education. In response to the Provisional order, Respondent did, however, provide certificates of completion for thirty hours of continuing education completed in March 2014.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty.

Inasmuch as Respondent provided thirty hours of continuing education as originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to demonstrate, to the satisfaction of the Board, that she timely completed the required hours and her corresponding false answer on her renewal application warranted imposition of the two hundred and fifty dollar (\$250) civil penalty and reprimand.

Respondent may use the thirty hours of continuing education completed in March 2014 to cure the deficiency of the June 1, 2010 – May 31, 2012 biennial period. Respondent may not use those same thirty hours to satisfy the requirements of the June 1, 2012 – May 31, 2014 biennial renewal period. Respondent will need to complete an additional thirty hours to satisfy the June 1, 2012 – May 31, 2014 period and another thirty to satisfy the current period of June 1, 2014 – May 31, 2016.

**ACCORDINGLY, IT IS** on this 8<sup>th</sup> day of Sept, 2014,  
**ORDERED that:**

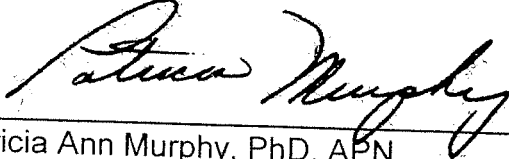
1. In addition to the thirty hours of continuing education completed in March 2014 which were applied to cure the deficiency of the June 1, 2010 - May 31, 2012 biennial period, Respondent shall ensure that she has documentation of completion of thirty hours of continuing education to apply to the June 1, 2012 – May 31, 2014 biennial period and thirty hours of continuing education to apply to the June 1, 2014 – May 31, 2016 biennial period. Continuing education hours applied to cure the deficiency of a previous biennial period shall not satisfy the requirements of any other biennial period.

2. A public reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).

3. A civil penalty in the total amount of seven hundred and fifty dollars (\$750) is hereby imposed, which includes a five hundred dollar (\$500) civil penalty for the violation of N.J.A.C. 13:45C-1.2 -1.3, as well as a civil penalty in the amount of two hundred and fifty dollars (\$250) for failure to timely complete required continuing education in violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check, bank check, or money order payable to "State of New Jersey," or by wire transfer or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Ann Murphy, PhD, APN  
Board President